

Calvin R. House (Bar No. 134902)  
Clifton A. Baker (Bar No. 175388)  
GUTIERREZ, PRECIADO & HOUSE, LLP  
251 South Lake Avenue, Suite 520  
Pasadena, California 91101-3003  
(626) 449-2300

Attorneys for Defendant  
Inter-Con Security Systems, Inc.

**LODGED**

APR 24 2006

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHARON PATERSON,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
GENERAL SERVICES, RAYMOND  
ASBELL and INTER-CON SECURITY  
SYSTEMS, INC.,

Defendants.

05-  
CASE NO. CV 00827-MCE-JFM

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE THE  
DISCOVERY COMPLETION DATE**

Through their counsel of record, all of the parties in the above-entitled action hereby stipulate and respectfully request that the Court continue the discovery completion date from June 14, 2006 to September 29, 2006, based on the following:

1. The trial in this case is set for March 14, 2007. The parties do not request a continuance of the trial date or any other date in the Pre-trial (Status) Scheduling Order.

2. The Pre-Trial Scheduling Order was issued on November 4, 2005. At that time, defendant Ray Asbell had not been served with the summons and complaint. Thus, Mr. Asbell's attorney, Daniel G. O'Donnell had no opportunity to and did not participate in the Rule 26 meeting of counsel.

1       3.     The parties have been diligent in exchanging and obtaining documents through early  
2 disclosure, document requests, and subpoenas.

3       4.     This case was referred to the Voluntary Dispute Resolution Program. Plaintiff and  
4 defendant Asbell wanted to determine the possibility of settling the case before they incurred  
5 significant discovery costs. On November 29, 2005, Jeffrey Owensby was assigned as the neutral.  
6 Unfortunately, Mr. Owensby had an extremely crowded calendar. Because he had so few dates  
7 available, the parties were unable to find a date in which all counsel were able to meet with him.  
8 Thus, Mr. Owensby withdrew and counsel had to select another mediator, all of which led to delays  
9 in completing the early neutral evaluation.

10       4.     The parties selected Stewart Katz to replace Mr. Owensby. On April 13, 2006, Mr.  
11 Katz conducted the mediation.

12       5.     Plaintiff's deposition has been scheduled for April 20, 2006. Plaintiff has noticed 5  
13 other depositions, set for dates during May 4-18, 2006. Counsel for defendant Inter-Con Security  
14 Systems are scheduled to begin a two-week trial in Sacramento Superior Court on May 8, 2006  
15 (Case No. 04AS02083), which will make it extremely difficult to prepare for and attend depositions  
16 in this case during that time period. DGS counsel is preparing for trial in June. At least one of the  
17 witnesses noticed for deposition, Agita Chandra, will have to be served with a subpoena, which may  
18 delay her deposition.

19       6.     Counsel for the parties agree that via conference call, the depositions and other  
20 discovery in this case can and will be calendared for July and August 2006. Counsel for the parties  
21 believe that continuing the discovery completion date until September 29, 2006, will allow for  
22 completion of any and all followup discovery that may be required following the initial depositions.

23       7.     Given the March 14, 2007 trial date, counsel for the parties believe that if the  
24 continuance is granted, sufficient time will remain before trial so that there will be no prejudice to  
25 any party by extending the discovery completion date. Rather, counsel believe that allowing this  
26 additional time for discovery will benefit the parties.

27       8.     The parties have not previously requested a continuance of any sort.  
28

9. This stipulation is not made for purposes of delay. The parties do not seek to continue any other date in the Pre-Trial (Status) Scheduling Order and those dates, including the expert designation date and the last date for hearing dispositive motions, will not be affected by the continuance.

Based on the foregoing, the parties hereby stipulate to continue the discovery completion date to September 29, 2006.

DATE: 4/20, 2006

By: 

Lawrence J. King  
Attorney for Plaintiff  
SHARON PATERSON

DATE: 4/20, 2006

By: 

William Darden  
Attorney for Defendant DEPARTMENT OF  
GENERAL SERVICES

DATE: 4/20, 2006

By: 

Daniel O'Donnell  
Attorney for Defendant RAYMOND  
ASBELL

DATE: 4/20, 2006

By: 

Clifton A. Baker  
Gutierrez, Preciado & House, LLP  
Attorney for Defendant INTER-CON  
SECURITY SYSTEMS, INC.

**IT IS SO ORDERED.**

DATE: April 26, 2006

By: 

HONORABLE MORRISON C. ENGLAND, JR.  
Judge, United States District Court  
Eastern District of California

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 years and not a party to the within action; my business address is 251 South Lake Avenue, Suite 520, Pasadena, California 91101-3003.

On April 21, 2006, I served the foregoing **STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE DISCOVERY COMPLETION DATE** on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

**Counsel for Plaintiff**

Lawrence J. King  
6 "C" Street  
Petaluma, CA 94952

**Counsel for Raymond Asbell**

Daniel G. O'Donnell  
Clancy, Doyle & O'Donnell  
901 F Street, Suite 120  
Sacramento, CA 95814

**Counsel for Department of General Services**

William T. Darden  
Deputy Attorney General  
1300 I Street, Suite 125  
P.O. Box 944255  
Sacramento, CA 94244-2550

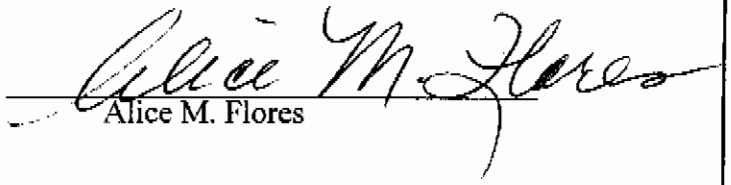
X BY MAIL - I placed such envelope for deposit in the U.S. Mail for service by the United States Postal Service, with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid at Pasadena, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

— BY OVERNITE EXPRESS - I am familiar with the practice at my place of business for collection and processing of correspondence for overnight delivery maintained by Overnight Express. Such correspondence will be deposited with a facility regularly maintained by Overnight Express for receipt on the same day in the ordinary course of business. The envelope was sealed and placed for collection and delivery by Overnight Express with delivery fees paid or provided for in accordance with ordinary business practices.

— BY PERSONAL SERVICE - I caused such envelope to be delivered by hand to the offices of the addressee.

X (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed April 21, 2006, at Pasadena, California.

  
Alice M. Flores